



RCE
Jaw

PATENT
ATTORNEY DOCKET NO.: 053933-5016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---------------------------------|---|------------------------|
| In re Application of: |) | |
| |) | |
| Ho-Seop JEONG et al. |) | Confirmation No.: 8475 |
| |) | |
| Application No.: 09/994,693 |) | Group Art Unit: 2652 |
| |) | |
| Filed: November 28, 2001 |) | Examiner: M. Battaglia |
| |) | |
| For: OPTICAL PICKUP DEVICE WITH |) | |
| EXTERNAL PHOTODETECTING |) | |
| UNIT (as amended) |) | |

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop RCE
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- ☒ Previously submitted:
- ☒ Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on October 25, 2004 (any unentered amendment(s) referred to above will be entered).
- ☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- ☐ Other: _____.

12/28/2004 EABUBAK1 00000104 500310 09994693

01 FC:1801 790.00 DA
02 FC:1252 450.00 DA

- ☐ Enclosed:
- ☐ Preliminary Amendment under 37 C.F.R. § 1.114
 - ☐ Supplemental Reply
 - ☐ Affidavit(s)/Declaration(s)
 - ☐ Information Disclosure Statement
 - ☐ Form 1449

2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required).

- ☐ Other: _____.

3. Fees Calculation

- (a) RCE Fee required under 37 C.F.R. § 1.17(e)

- ☒ **\$790.00**
☐ \$385.00 (for small entity)

- (b) Additional Claims

| CLAIMS AS AMENDED | | | | | | |
|---|---|-------|--------------------------------|------------------|----------------|------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid | Present Extra | at Rate of | Total Fees |
| Total Claims (37 C.F.R. §1.16(c)) | 22 | minus | 22 | 0 | x \$50 each = | + \$00.00 |
| Independent Claims (37 C.F.R. §1.16(b)) | 5 | minus | 5 | 0 | x \$200 each = | + \$00.00 |
| [] First presentation of Multiple dependent claim(s) | | | | | \$360.00 | + \$00.00 |
| SUB-TOTAL = | | | | | | \$00.00 |
| Reduction by ½ for filing by a small entity | | | | | | - \$00.00 |
| TOTAL FEE = | | | | | | \$00.00 |

(c) Extension of Time

☐ Applicant believes that no extension of time is required. The period for response extends through December 29, 2004, because a Notice of Appeal was filed in this application on October 29, 2004. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

| <u>Total Months Requested</u> | <u>Fee for Extension</u> | <u>Fee for Small Entity</u> |
|--|------------------------------|---------------------------------|
| <input type="checkbox"/> one month | \$ 120.00 | \$ 60.00 |
| <input checked="" type="checkbox"/> two months | \$ 450.00 | \$225.00 |
| <input type="checkbox"/> three months | \$ 1020.00 | \$510.00 |
| <input type="checkbox"/> four months | \$ 1590.00 | \$795.00 |

☐ An extension for _____ month has already been secured and the fee paid therefor of _____ is deducted from the total fee due for the total months of extension now requested.

The extension of time fee for this request: \$_____.

If an additional extension of time or an additional fee is required, please consider this a Petition therefor.

4. Fee Payment

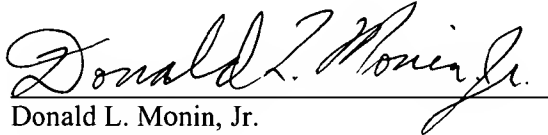
- ☐ Enclosed is a check in the amount of \$_____.
- ☒ The Commissioner is hereby authorized to charge the Deposit Account No. 50-0310 in the amount of **\$1240.00** for the **\$790.00 RCE filing fee** and the **\$450.00 two month extension of time fee**.
- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN LEWIS & BOCKIUS LLP

Dated: December 27, 2004

By:


Donald L. Monin, Jr.
Reg. No. 47,256

Customer No. 009629
MORGAN LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Tel: 202.739.3000
Fax: 202.739.3001